

## REMARKS

Claims 1-19 are pending in the application.

Claims 1-19 were rejected under 35 U.S.C. §102(e) as being anticipated by Puri et al, U.S. Patent No. 6,148,026 (hereinafter “Puri”).

### Claim Rejections Under 35 U.S.C. §102(e)

Claims 1-19 were rejected under 35 U.S.C. §102(e) as being anticipated by Puri. Puri generally discloses coding video data with enhanced functionality by coding video data as base layer data and enhancement layer data. (See Abstract). Applicants respectfully submit that Puri fails to disclose all the elements of claims 1, 7, and 13, as amended.

Puri does not disclose at least first and second encoding passes, where the second encoding pass on said frame of video data is performed after the first encoding pass is performed on said frame of video data. Puri states:

The demultiplexer inserts the command into the channel 230, represented as back channel 232. The multiplexer 220 retrieves the back channel 232 from the channel 230 and routes it to the encoder 210, represented by line 212. In response to a command contained in the back channel 232, the encoder 210 responds accordingly. It reduces or eliminates the mesh node motion vectors.

(See Puri, col. 5, lines 13-20).

In other words, the reverse arrow shown in Figure 2A of Puri discloses a command line and not sending the video data back to the encoder for successive passes. Additionally, Puri does not disclose excluding at least one sub-step from execution during an encoding pass for which that sub-step is unnecessary. Applicants respectfully submit, therefore, that elements of claim 1, 7, and 13, as amended, are neither shown nor suggested by the cited reference. Claims 2-6, 8-12, and 14-19 depend from and further define claims 1, 7, and 13, respectively. Accordingly reconsideration and withdrawal of the rejection of claims 1-19 under 35 U.S.C. §102(e) is respectfully requested.

## CONCLUSION

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. **11-0600**.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

Respectfully submitted,

KENYON & KENYON

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By: Stephen T. Neal

Stephen T. Neal

(Reg. No. 47,815)

Attorneys for Intel

For: Shawn W. O'Dowd

(Reg. No. 34,687)

Attorneys for Intel

KENYON & KENYON  
333 West San Carlos St., Suite 600  
San Jose, CA 95110

Telephone: (408) 975-7500  
Facsimile: (408) 975-7501